

PROD 12B
(7/93)

Report Date: February 16, 2010

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 16 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Darren Nelson

Case Number: 2:98CR00123-001

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 6/10/1999

Type of Supervision: Supervised Release

Original Offense: Possession of a Controlled
Substance in violation of 18 U.S.C. 2, 21 U.S.C. §
841(a)(1)m ; Conspiracy to Distribute a Controlled
Substance, 21 U.S.C. § 846, and Manufacture of
Marijuana in violation of 18 U.S.C. 2, 21 U.S.C. §
841

Date Supervision Commenced: 1/15/2010

Original Sentence: Prison - 65 Months; TSR - 48
Months

Date Supervision Expires: 1/14/2014

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 14 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Darren Nelson was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Nelson has agreed to the proposed modifications.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/16/2010

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer

February 16, 2010
Date